

# **EXHIBIT 17**

PTO- 1957

Approved for use through 11/30/2023. OMB 0651-0050

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

## Response to Office Action

The table below presents the data as entered.

Input Field	Entered
<b>SERIAL NUMBER</b>	88883720
<b>LAW OFFICE ASSIGNED</b>	LAW OFFICE 113
<b>MARK SECTION</b>	
<b>MARK</b>	<a href="#">mark</a>
<b>LITERAL ELEMENT</b>	SORIANO MOTORI
<b>STANDARD CHARACTERS</b>	YES
<b>USPTO-GENERATED IMAGE</b>	YES
<b>MARK STATEMENT</b>	The mark consists of standard characters, without claim to any particular font style, size or color.
<b>OWNER SECTION (current)</b>	
<b>NAME</b>	Soriano Consulting Group LLC
<b>MAILING ADDRESS</b>	22 Jackson Place
<b>CITY</b>	Massapequa
<b>STATE</b>	New York
<b>ZIP/POSTAL CODE</b>	11758
<b>COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>EMAIL</b>	XXXX
<b>OWNER SECTION (proposed)</b>	
<b>NAME</b>	Soriano Consulting Group LLC
<b>MAILING ADDRESS</b>	22 Jackson Place
<b>CITY</b>	Massapequa
<b>STATE</b>	New York
<b>ZIP/POSTAL CODE</b>	11758
<b>COUNTRY/REGION/JURISDICTION/U.S. TERRITORY</b>	United States
<b>EMAIL</b>	XXXX
<b>EVIDENCE SECTION</b>	
<b>EVIDENCE FILE NAME(S)</b>	
<b>ORIGINAL PDF FILE</b>	<a href="#">evi_2601c51004b10f959d962_870fda9a-2021012023005533_3998_.2021.01.20_ROA_Sur name_SORIANO_MOTORI.pdf</a>
<b>CONVERTED PDF FILE(S) (22 pages)</b>	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0002.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0003.JPG</a>

	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0004.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0005.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0006.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0007.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0008.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0009.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0010.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0011.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0012.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0013.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0014.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0015.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0016.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0017.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0018.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0019.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0020.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0021.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0022.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0023.JPG</a>
<b>GOODS AND/OR SERVICES SECTION (current)</b>	
INTERNATIONAL CLASS	012
<b>DESCRIPTION</b>	
Electric bicycles and structural parts therefore; Electric motorcycles and structural parts therefore	
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FOREIGN APPLICATION NUMBER	18205838
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	European Union Trademark - EUTM
FOREIGN FILING DATE	03/05/2020
<b>GOODS AND/OR SERVICES SECTION (proposed)</b>	
INTERNATIONAL CLASS	012
<b>TRACKED TEXT DESCRIPTION</b>	
<del>Electric bicycles and structural parts therefore;</del> <a href="#">Electric bicycles and structural parts therefor</a> ; <del>Electric motorcycles and structural parts therefore</del> ; <a href="#">Electric motorcycles and structural parts therefor</a>	
<b>FINAL DESCRIPTION</b>	
Electric bicycles and structural parts therefor; Electric motorcycles and structural parts therefor	
WEBPAGE URL	None Provided

WEBPAGE DATE OF ACCESS	None Provided
FILING BASIS	Section 1(b)
FILING BASIS	Section 44(d)
FOREIGN APPLICATION NUMBER	18205838
FOREIGN APPLICATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	European Union Trademark - EUTM
FOREIGN FILING DATE	03/05/2020
INTENT TO PERFECT 44(d)	At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.
FILING BASIS	Section 44(e)
FOREIGN REGISTRATION NUMBER	018205838
FOREIGN REGISTRATION COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	European Union Trademark - EUTM
FOREIGN REGISTRATION DATE	07/01/2020
FOREIGN EXPIRATION DATE	03/05/2030
FOREIGN REGISTRATION FILE NAME(S)	
ORIGINAL PDF FILE	<a href="#">FRU0-1-2601c51004b10f959d 962870fda9a-230055333 . E xhibit C_Soriano.pdf</a>
CONVERTED PDF FILE(S) (5 pages)	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0024.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0025.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0026.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0027.JPG</a>
	<a href="#">\\TICRS\EXPORT18\IMAGEOUT 18\888\837\88883720\xml4\ ROA0028.JPG</a>
STANDARD CHARACTERS OR EQUIVALENT	NO
<b>ATTORNEY INFORMATION (new)</b>	
NAME	Shuo Che Chou
ATTORNEY BAR MEMBERSHIP NUMBER	XXX
YEAR OF ADMISSION	XXXX
U.S. STATE/ COMMONWEALTH/ TERRITORY	XX
FIRM NAME	Sinorica LLC dba Thoughts to Paper
STREET	20251 Century Blvd, Suite 140
CITY	Germantown
STATE	Maryland
POSTAL CODE	20874
COUNTRY/REGION/JURISDICTION/U.S. TERRITORY	United States
PHONE	2405234321
EMAIL	trademark@thoughtstopaper.com
DOCKET/REFERENCE NUMBER	TTA59195

<b>CORRESPONDENCE INFORMATION (current)</b>	
NAME	SORIANO CONSULTING GROUP LLC
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	tracey.jean@sorianogroup.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	TMAApp@legalzoom.com
<b>CORRESPONDENCE INFORMATION (proposed)</b>	
NAME	Shuo Che Chou
PRIMARY EMAIL ADDRESS FOR CORRESPONDENCE	trademark@thoughtstopaper.com
SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES)	tracey.jean@sorianogroup.com; chriscwashington@aol.com
DOCKET/REFERENCE NUMBER	TTA59195
<b>SIGNATURE SECTION</b>	
DECLARATION SIGNATURE	/Shuo Che Chou/
SIGNATORY'S NAME	Shuo Che Chou
SIGNATORY'S POSITION	Attorney of record New York member
SIGNATORY'S PHONE NUMBER	8009192493
DATE SIGNED	01/21/2021
SIGNATURE METHOD	Sent to third party for signature
RESPONSE SIGNATURE	/Shuo Che Chou/
SIGNATORY'S NAME	Shuo Che Chou
SIGNATORY'S POSITION	Attorney of record New York bar member
SIGNATORY'S PHONE NUMBER	8009192493
DATE SIGNED	01/21/2021
ROLE OF AUTHORIZED SIGNATORY	Authorized U.S.-Licensed Attorney
SIGNATURE METHOD	Sent to third party for signature
<b>FILING INFORMATION SECTION</b>	
SUBMIT DATE	Thu Jan 21 18:39:47 ET 2021
TEAS STAMP	USPTO/ROA-XX.XXX.XXX.XX-2 0210121183947151925-88883 720-760a7dc25b6149798c57c 15dd6f311f10acd284ead91e2 6b3e3b3f5a856894f4-N/A-N/ A-20210121181503313606

## Response to Office Action

### To the Commissioner for Trademarks:

Application serial no. **88883720** SORIANO MOTORI(Standard Characters, see <https://tmng-al.uspto.gov/resting2/api/img/88883720/large>) has been amended as follows:

## EVIDENCE

### Original PDF file:

[evi\\_2601c51004b10f959d962\\_870fda9a-2021012023005533\\_3998\\_2021.01.20\\_ROA\\_Sur name\\_SORIANO MOTORI.pdf](#)

**Converted PDF file(s)** ( 22 pages) [Evidence-1Evidence-2Evidence-3Evidence-4Evidence-5Evidence-6Evidence-7Evidence-8Evidence-9Evidence-10Evidence-11Evidence-12Evidence-13Evidence-14Evidence-15Evidence-16Evidence-17Evidence-18Evidence-19Evidence-20Evidence-21Evidence-22](#)

## CLASSIFICATION AND LISTING OF GOODS/SERVICES

### Applicant proposes to amend the following:

#### Current:

Class 012 for Electric bicycles and structural parts therefore; Electric motorcycles and structural parts therefore

**Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

**Filing Basis: Section 44(d), Priority based on foreign filing: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services, and asserts a claim of priority based upon a foreign application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization, and asserts a claim of priority based upon a foreign application. ***For a certification application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant, and the applicant asserts a claim of priority based upon a foreign application. Claim of priority is based on[ European Union Trademark - EUTM application number 18205838 filed 03/05/2020]. 15 U.S.C.Section 1126(d), as amended.

#### Proposed:

**Tracked Text Description:** ~~Electric bicycles and structural parts therefore;~~ [Electric bicycles and structural parts therefor;](#) ~~Electric motorcycles and structural parts therefore;~~ [Electric motorcycles and structural parts therefor](#)

Class 012 for Electric bicycles and structural parts therefor; Electric motorcycles and structural parts therefor

**Filing Basis: Section 1(b), Intent to Use: *For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services in the application. ***For a collective trademark, collective service mark, or collective membership mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. ***For a certification mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant.

Webpage URL: None Provided

Webpage Date of Access: None Provided

**Filing Basis: Section 44(d), Priority based on foreign filing:*****For a trademark or service mark application:*** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services, and asserts a claim of priority based upon a foreign application. ***For a collective trademark, collective service mark, or collective membership mark***

**application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization, and asserts a claim of priority based upon a foreign application. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users in connection with the identified goods/services, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant, and the applicant asserts a claim of priority based upon a foreign application. Claim of priority is based on [ European Union Trademark - EUTM application number 18205838 filed 03/05/2020]. 15 U.S.C. Section 1126(d), as amended.

**INTENT TO PERFECT 44(d) :** At this time, the applicant intends to rely on Section 44(e) as a basis for registration and requests that the application be suspended to await the submission of the foreign registration. If ultimately the applicant does not rely on §44(e) as a basis for registration, a valid claim of priority may be retained.

**Filing Basis: Section 44(e), Based on Foreign Registration:** *For all applications:* The applicant attaches a copy of [ European Union Trademark - EUTM registration number 018205838 registered 07/01/2020 with a renewal date of \_\_\_\_\_ and an expiration date of 03/05/2030 ], and translation thereof, if appropriate. **For a trademark or service mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to use the mark in commerce on or in connection with the identified goods/services. **For a collective trademark, collective service mark, or collective membership mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by members on or in connection with the identified goods/services/collective membership organization. **For a certification mark application:** As of the application filing date, the applicant had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce by authorized users on or in connection with the identified goods/services, and the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods or services that meet the certification standards of the applicant.

**Original PDF file:**

[FRU0-1-2601c51004b10f959d 962870fda9a-230055333 . E xhibit C\\_Soriano.pdf](#)

**Converted PDF file(s) ( 5 pages)** [Foreign Registration-1](#)[Foreign Registration-2](#)[Foreign Registration-3](#)[Foreign Registration-4](#)[Foreign Registration-5](#)

**OWNER AND/OR ENTITY INFORMATION**

**Applicant proposes to amend the following:**

**Current:** Soriano Consulting Group LLC, a limited liability company legally organized under the laws of New York, having an address of  
22 Jackson Place  
Massapequa, New York 11758  
United States  
Email Address: XXXX

**Proposed:** Soriano Consulting Group LLC, a limited liability company legally organized under the laws of New York, having an address of  
22 Jackson Place  
Massapequa, New York 11758  
United States  
Email Address: XXXX

The owner's/holder's proposed attorney information: Shuo Che Chou. Shuo Che Chou of Sinorica LLC dba Thoughts to Paper, is a member of the XX bar, admitted to the bar in XXXX, bar membership no. XXX, is located at

20251 Century Blvd, Suite 140  
Germantown, Maryland 20874  
United States

is appointed to submit this Response to Office Action Form on behalf of the applicant.

The docket/reference number is TTA59195.

The phone number is 2405234321.

The email address is trademark@thoughtstopaper.com

Shuo Che Chou submitted the following statement: The attorney of record is an active member in good standing of the bar of the highest court of a U.S. state, the District of Columbia, or any U.S. Commonwealth or territory.

**Correspondence Information (current):**

SORIANO CONSULTING GROUP LLC

PRIMARY EMAIL FOR CORRESPONDENCE: tracey.jean@sorianogroup.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): TMAApp@legalzoom.com



**Correspondence Information (proposed):**

Shuo Che Chou

PRIMARY EMAIL FOR CORRESPONDENCE: trademark@thoughtstopaper.com

SECONDARY EMAIL ADDRESS(ES) (COURTESY COPIES): tracey.jean@sorianogroup.com; chriscwashington@aol.com

The docket/reference number is TTA59195.

**Requirement for Email and Electronic Filing:** I understand that a valid email address must be maintained by the owner/holder and the owner's/holder's attorney, if appointed, and that all official trademark correspondence must be submitted via the Trademark Electronic Application System (TEAS).

**SIGNATURE(S)**

**Declaration Signature**

**DECLARATION:** The signatory being warned that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements and the like may jeopardize the validity of the application or submission or any registration resulting therefrom, declares that, if the applicant submitted the application or allegation of use (AOU) unsigned, all statements in the application or AOU and this submission based on the signatory's own knowledge are true, and all statements in the application or AOU and this submission made on information and belief are believed to be true.

**STATEMENTS FOR UNSIGNED SECTION 1(a) APPLICATION/AOU:** If the applicant filed an unsigned application under 15 U.S.C. § 1051(a) or AOU under 15 U.S.C. § 1051(c), the signatory additionally believes that: the applicant is the owner of the mark sought to be registered; the mark is in use in commerce and was in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; the original specimen(s), if applicable, shows the mark in use in commerce as of the filing date of the application or AOU on or in connection with the goods/services/collective membership organization in the application or AOU; *for a collective trademark, collective service mark, collective membership mark application, or certification mark application*, the applicant is exercising legitimate control over the use of the mark in commerce and was exercising legitimate control over the use of the mark in commerce as of the filing date of the application or AOU; *for a certification mark application*, the applicant is not engaged in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

**STATEMENTS FOR UNSIGNED SECTION 1(b)/SECTION 44 APPLICATION AND FOR SECTION 66(a)**

**COLLECTIVE/CERTIFICATION MARK APPLICATION:** If the applicant filed an unsigned application under 15 U.S.C. §§ 1051(b), 1126(d), and/or 1126(e), or filed a collective/certification mark application under 15 U.S.C. § 1141f(a), the signatory additionally believes that: *for a trademark or service mark application*, the applicant is entitled to use the mark in commerce on or in connection with the goods/services specified in the application; the applicant has a bona fide intention to use the mark in commerce and had a bona fide intention to use the mark in commerce as of the application filing date; *for a collective trademark, collective service mark, collective membership mark, or certification mark application*, the applicant has a bona fide intention, and is entitled, to exercise legitimate control over the use of the mark in commerce and had a bona fide intention, and was entitled, to exercise legitimate control over the use of the mark in commerce as of the application filing date; the signatory is properly authorized to execute the declaration on behalf of the applicant; *for a certification mark application*, the applicant will not engage in the production or marketing of the goods/services to which the mark is applied, except to advertise or promote recognition of the certification program or of the goods/services that meet the certification standards of the applicant. **To the best of the signatory's knowledge and belief, no other persons, except, if applicable, authorized users, members, and/or concurrent users, have the right to use the mark in commerce, either in the identical form or in such near resemblance as to be likely, when used on or in connection with the goods/services/collective membership organization of such other persons, to cause confusion or mistake, or to deceive.**

Signature: /Shuo Che Chou/ Date: 01/21/2021

Signatory's Name: Shuo Che Chou

Signatory's Position: Attorney of record New York member

Signatory's Phone Number: 8009192493

Signature method: Sent to third party for signature

**Response Signature**

Signature: /Shuo Che Chou/ Date: 01/21/2021



Signatory's Name: Shuo Che Chou

Signatory's Position: Attorney of record New York bar member

Signatory's Phone Number: 8009192493 Signature method: Sent to third party for signature

The signatory has confirmed that he/she is a U.S.-licensed attorney who is an active member in good standing of the bar of the highest court of a U.S. state (including the District of Columbia and any U.S. Commonwealth or territory); and he/she is currently the owner's/holder's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S.-licensed attorney not currently associated with his/her company/firm previously represented the owner/holder in this matter: the owner/holder has revoked their power of attorney by a signed revocation or substitute power of attorney with the USPTO; the USPTO has granted that attorney's withdrawal request; the owner/holder has filed a power of attorney appointing him/her in this matter; or the owner's/holder's appointed U.S.-licensed attorney has filed a power of attorney appointing him/her as an associate attorney in this matter.

Mailing Address: SORIANO CONSULTING GROUP LLC  
SORIANO CONSULTING GROUP LLC

22 JACKSON PLACE  
MASSAPEQUA, New York 11758

Mailing Address: Shuo Che Chou  
Sinorica LLC dba Thoughts to Paper  
20251 Century Blvd, Suite 140  
Germantown, Maryland 20874

Serial Number: 88883720

Internet Transmission Date: Thu Jan 21 18:39:47 ET 2021

TEAS Stamp: USPTO/ROA-XX.XXX.XXX.XX-2021012118394715

1925-88883720-760a7dc25b6149798c57c15dd6

f311f10acd284ead91e26b3e3b3f5a856894f4-N

/A-N/A-20210121181503313606

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
EXAMINATION DIVISION

)	IN RE:	APPLICATION OF SORIANO CONSULTING GROUP, LLC
)		
)		
)		
)	MATTER:	RESPONSE TO OFFICE ACTION
)		
)	SER. NO.:	88883720
)		
)	MARK:	SORIANO MOTORI (WORD MARK)
)		
)	EXAMINER:	AMY KERTGATE
)		
)	LAW OFFICE:	113

**I. THE APPLICANT’S MARK AS USED IN CONNECTION WITH THE CLAIMED GOODS IS NOT MERELY A SURNAME.**

**A. Standard for Refusal Based on Use Primarily as a Surname**

The test for determining whether a mark is primarily merely a surname depends on the primary significance of the mark as a whole to the purchasing public. TMEP § 1211.01(a)(i) citing *In re Hutchinson Tech. Inc.*, 852 F.2d 552, 554 (Fed. Cir. 1988) *see also In re Kahan & Weisz Jewelry Mfg. Corp.*, 508 F.2d 831, 832 (CCPA 1975), *In re Adlon Brand GmbH & Co. KG*, 120 USPQ2d 1717, 1719 (TTAB 2016) and *In re Eximius Coffee*, 120 USPQ2d 1276, 1277 (TTAB 2016). Accordingly, the impact that the mark has or will have on the purchasing public must be evaluated in order to determine whether the primary, and only, significance of the term is as a surname. *In re Eximius Coffee*, 120 USPQ2d at 1278 (citing *In re Harris-Intertype Corp.*, 186 USPQ 238, 239 (CCPA 1975) ).

Each case must be decided on its own facts, based upon the evidence in the record. *See In re Etablissements Darty et Fils*, 759 F.2d 15, 17, 225 USPQ 652, 653 (Fed. Cir. 1985). There is no rule regarding the kind or amount of evidence necessary to show that the applied-for mark would be perceived as

primarily merely a surname. *In re Eximius Coffee*, 120 USPQ2d at 1278. Moreover, Each case must be decided on its own facts, based upon the evidence in the record. *See In re Etablissements Darty et Fils*, 759 F.2d 15, 17, 225 USPQ 652, 653 (Fed. Cir. 1985).

The Trademark Trial and Appeal Board has identified five (5) inquiries to be used to evaluate the public's perception of a term's primary significance:

- (1) whether the surname is rare;
- (2) whether the term is the surname of anyone connected with the applicant;
- (3) **whether the term has ANY recognized meaning other than as a surname; (emphasis added)**
- (4) whether it has the "structure and pronunciation" of a surname; and
- (5) whether the stylization of lettering is distinctive enough to create a separate commercial impression.

These factors are not exclusive. *In re Eximius Coffee*, 120 USPQ2d at 1278. Indeed, "any of these circumstances – singly or in combination – and any other relevant circumstances may shape the analysis in a particular case." *Id.*

If there is any doubt as to whether a term is primarily merely a surname, **the Board will resolve the doubt in favor of the applicant.** *In re Yeley*, 85 USPQ2d at 1151; *In re Benthin*, 37 USPQ2d at 1334.

**B. The Applicant's Mark Has Recognized Meaning in the Motor and Vehicle Industries**

Reference is made to *Exhibit A*, attached herewith and incorporated herein by this reference. As shown, the Soriano family and, by extension, the Applicant, has a long and internationally recognized history in the motor industry – in the context of electric vehicles, outboard motors, racing, and related areas of industry. This history dates back to the turn of the 20<sup>th</sup> century when in 1919 Ricardo Soriano gained notoriety as an inventor of racing motors that performed at a superior level. Throughout the 21<sup>st</sup> century, the brand has been associated with stylish moto vehicles.

The Applicant is the owner of several past, existing and/or pending registered and common law trademark registrations throughout the world including, but not limited to those set forth in *Exhibit C*, attached herewith and incorporated herein by this reference.

**C. The Balance of the Mark Enhances the Perception of SORIANO as a Famous Brand, Not a Surname**

---

The determination of whether a mark is primarily perceived as a surname also centers around additional elements other than the name and whether the use of additional wording/elements with the surname alters the primary significance of the mark as a whole to the purchasing public. See *Earnhardt v. Kerry Earnhardt, Inc.*, 864 F.3d 1374, 123 USPQ2d 1411, 1415 (Fed. Cir. 2017).

Because the balance of the mark, “MOTORI,” conjures the field in which the Soriano name has developed a loyal international following of motor/motor sports enthusiasts for over 100 years, the Applicant submits that this word it actually negates a finding of primary perception of a surname – if anything, it reinforces the recollection of the history associated with the Soriano brand in the context of motors and motor sports as evidence in *Exhibit A*.

**II. The Applicant’s Mark Has Acquired Distinctiveness**

The Applicant’s mark has acquired distinctiveness through decades of association with motors, racing and motor vehicles. While the Applicant has introduced newer motorcycle product lines in recent year, interest and appreciation of the brand that SORIANO represents has continued from generation to generation. In keeping with the Soriano brand’s tradition of celebrating style as well as performance, the Applicant’s products appear in online, social and traditional media as shown in *Exhibit B*, attached hereto and incorporated by this reference. Currently, the Applicant’s newest product line can be purchased on the Applicant’s website [www.sorianomotori.com](http://www.sorianomotori.com), screenshots of which are included in *Exhibit B* and will be submitted in support of the Applicant’s forthcoming Allegation of Use under separate cover.

**III. THE APPLICANT IS DESERVING OF PLACEMENT ON THE PRINCIPAL REGISTER**

Because the Applicant can demonstrate recognition of the mark as a famous and well-known trademark, the Applicant is amenable to amending the filing basis to 2(f) and thereby, positioning the application for eventual placement on the Principal Register.

**IV. FORMALITIES**

1. **Disclaimer.** The Applicant is amenable to disclaiming the word MOTORI apart from the mark as shown if doing so will place the application in position for approval for publication.

2. **Identification of Goods.** The Applicant is amenable to the suggested modification of the identification of goods, to wit, electric bicycles and structural parts therefor; electric motorcycles and structural parts therefore if doing so will place the application in position approval for publication.

3. **Foreign Registration Certificate 44(d).** The Applicant has existing trademark registrations as summarized and/or attached herewith collectively as *Exhibit C* and uploaded via the TEAS system on even date herewith.

**V. CONCLUSION.**

For the foregoing reasons, Attorney for Applicant respectfully requests that the refusal be withdrawn and that the application be approved for publication.

Respectfully submitted,

Attorney for Applicant

# Exhibit A

1925 Soriano Pedroso driven by Graf.  
- Image ID: 2A4T54P



sorianomotori • Follow  
Manhattan, New York

sorianomotori Imagine the unimaginable. Then you got it.

Long live SORIANO MOTORCYCLES

The Management

Www.sorianomotori.eu

#motorcycles #bikes #madeinitalytr  
#italy #motorcycleporn #preorder  
#sorianomotori #motorcycle #motor  
#motorcycles #motorcross #motorex  
#motorcyclist #motorbike

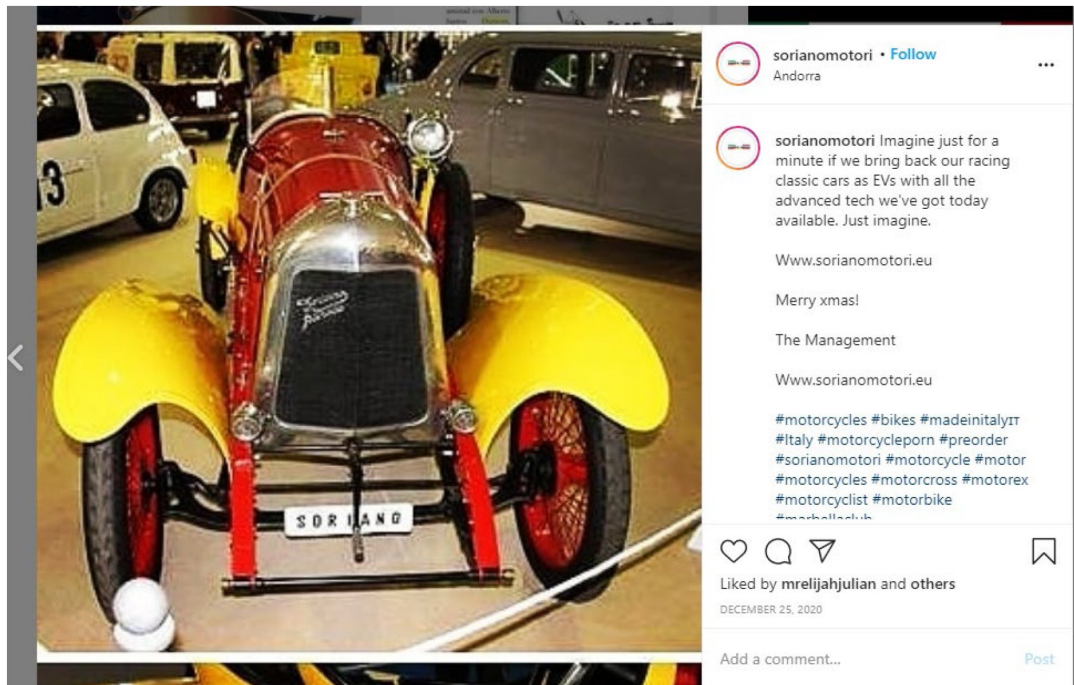
2d

Liked by carrasquetaroadraceofficial and others  
2 DAYS AGO

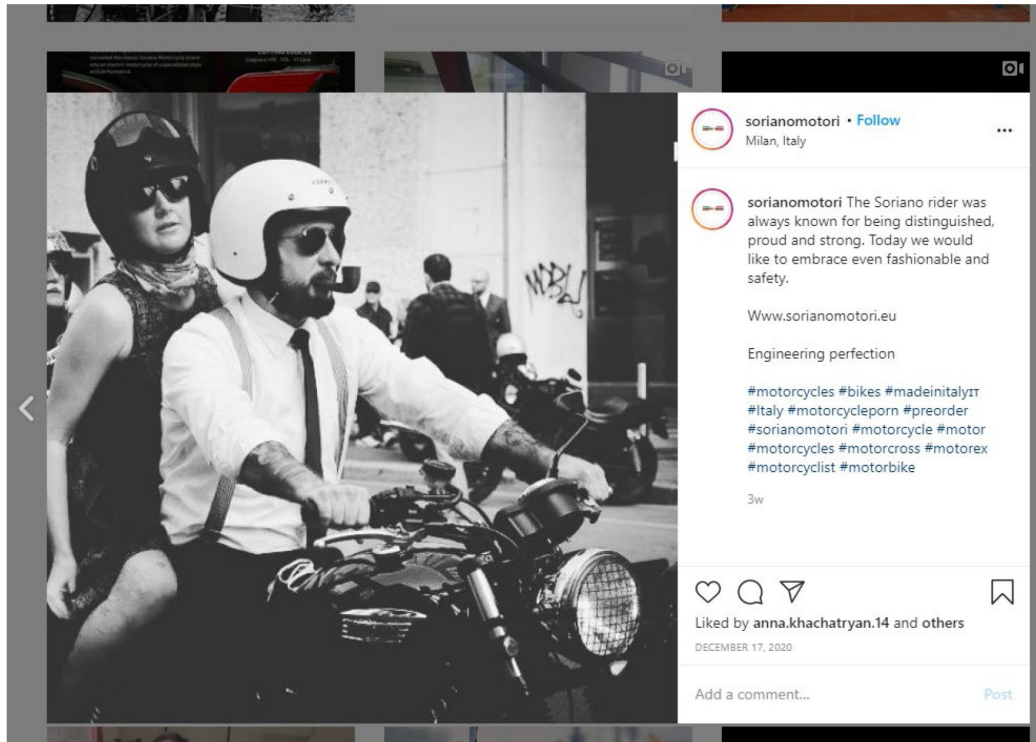
Add a comment... Post

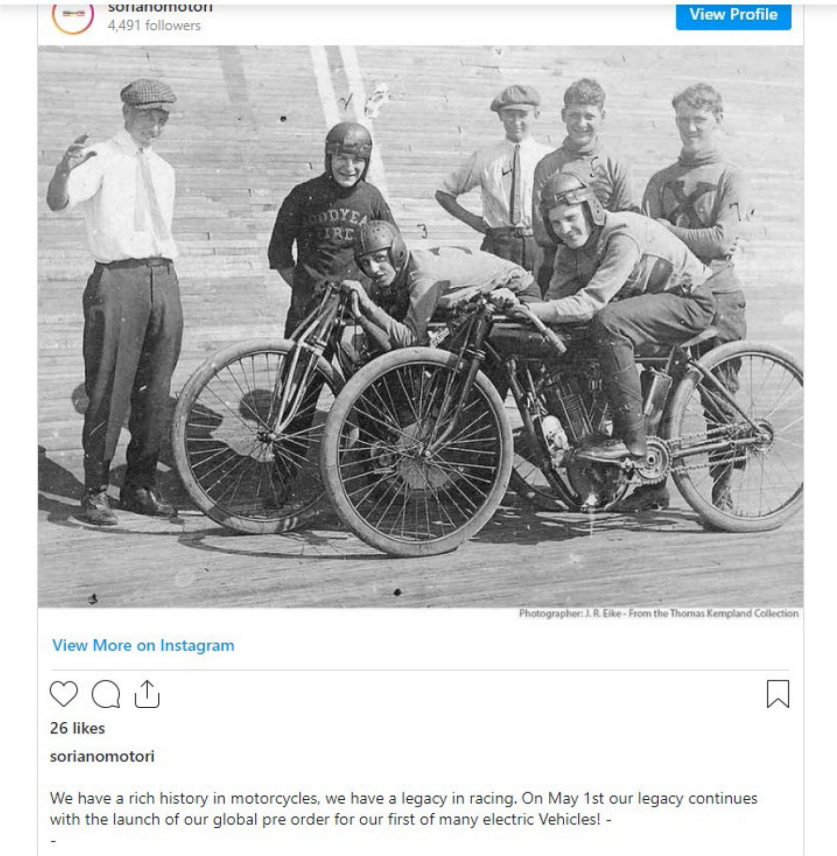






Response to Office Action - SORIANO MOTORI 88883720

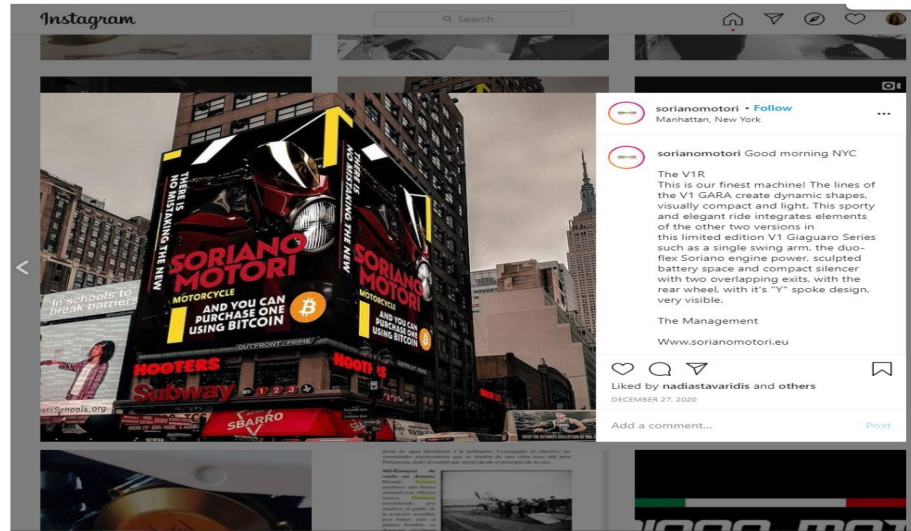




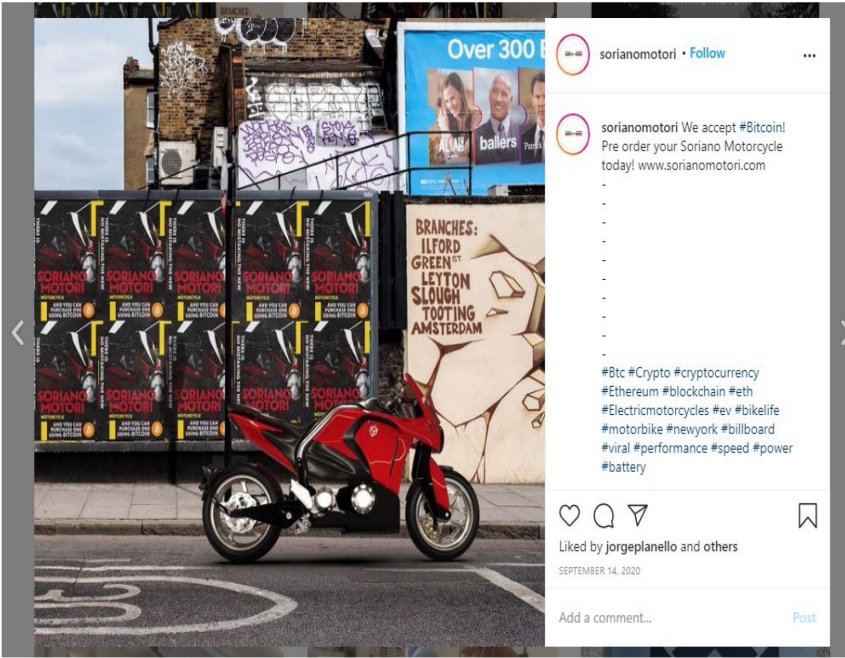


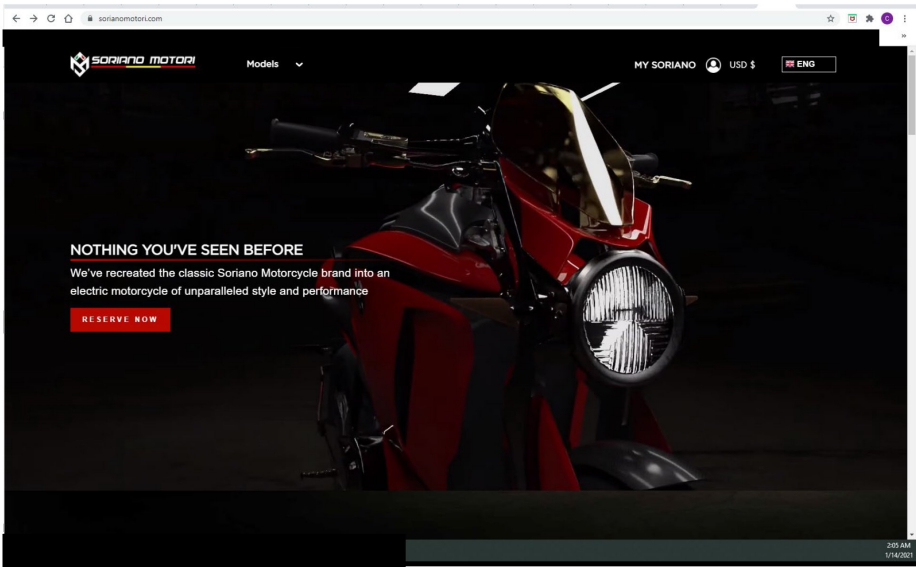
# Exhibit B














# Exhibit C

O. Ref.	Country	Logo	Trademark	Class	Owner	A. Date	A. No.	Pub.	Reg. Date	Reg. No	Renewal
2020/44781	Oficina de Propiedad Intelectual de la Unión Europea (EUIPO)		R. SORIANO	12, 41	New York SORIANO CONSULTING GROUP LIMITED LIABILITY COMPANY	3/5/2020	18205827	3/12/2020	7/21/2020	18205827	3/5/2030
2020/44766	Oficina de Propiedad Intelectual de la Unión Europea (EUIPO)		SORIANO MOTORI	12, 25, 35, 41	New York SORIANO CONSULTING GROUP LIMITED LIABILITY COMPANY	3/5/2020	18205838	3/23/2020	7/1/2020	18205838	3/5/2030
2020/40033	Oficina de Propiedad Intelectual de la Unión Europea (EUIPO)		SORIANO PEDROSO	12, 41	Marco Antonio Soriano	8/3/2020		8/14/2020			

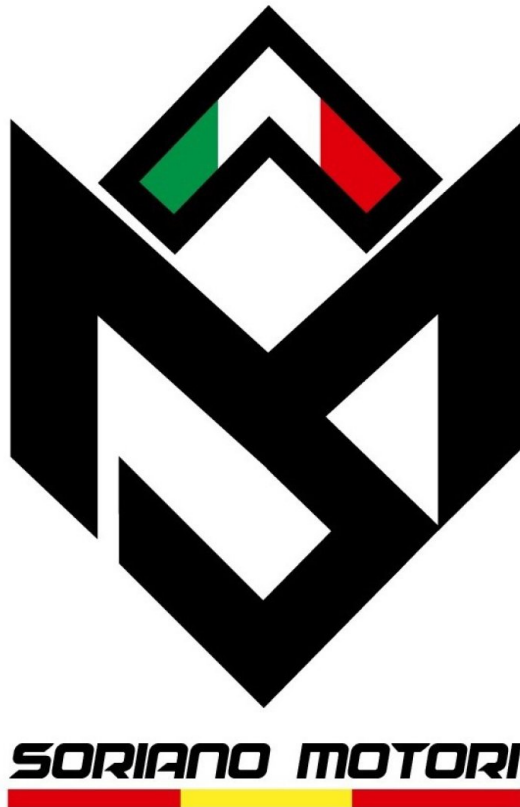


Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

1/5

SORIANO MOTORI



## Trademark

Application number	<a href="#">018205838</a>
Application language	en
Application date	05/03/2020
Registration office	EM
Receiving office	
Registration number	
Registration date	01/07/2020
Nice classification	12, 25, 35, 41
Expiry date	05/03/2030
Designation(s) under Madrid Protocol	
Designation(s) under Madrid Protocol (Article 9-6)	
Use intent office(s)	
Basic registration number	
EUIPO data last updated on the 19/01/2021	



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

2/5

Basic registration date

Kind of IPR

Trade mark type

Figurative

Kind of mark

Individual

Mark translation

Current trade mark status

Registered

Trade mark office

EUIPO - EUIPO

## List of goods and services

Classification version:

Classification kind:

Class

List of goods and services

Original text : EN

12

Motorcycles; vehicles; luggage racks for motorcycles; structural parts for motorcycles.

25

Clothing; footwear; headgear.

35

Retail sales and wholesale of motorcycles and vehicles; retail sales and wholesale of clothing, footwear and headgear; retail sales and wholesale of motorcycle helmets; retail sales and wholesale of luggage racks for motorcycles; retail sales and wholesale of structural parts for motorcycles; promotion of goods and services through sponsorship; advertising.

41

Organization of sports competitions; electronic publication; publication services; museums; entertainment; recreation services; publishing.

## Vienna code



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

3/5

---

24.07.01	One flag
26.04.02	Rectangles
26.04.04	Other irregular parallelograms, trapezia and quadrilaterals
26.04.09	Several quadrilaterals juxtaposed, joined or intersecting
26.05.01	One polygon
26.05.11	Polygons containing one or more quadrilaterals (precise the content)
26.05.12	Polygons containing one or more other geometrical figures (precise the content)
27.05.22	Monograms formed of intertwined, overlapping or otherwise combined letters
27.99.13	Letter M
27.99.19	Letter S
29.01.01	Red
29.01.02	Yellow
29.01.03	Green

## Owner

Applicant identifier	1071646
Name	
Entitlement establishment	
Address country	US
Address	22 Jackson place NY 11758 Massapequa New York

## Representative





Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

4/5

---

Applicant identifier	10784
Name	CLARKE, MODET Y CÍA., S.L.
Entitlement establishment	ES
Address country	ES
Address	Rambla de Méndez Núñez, Nº 21-23, 5º A-B 03002 Alicante

### Correspondence address

Name	
Address country	-
Address	

### Seniority

No entry for the Selected Trademark

### Exhibition priority

No entry for the Selected Trademark

### Priority

No entry for the Selected Trademark

### International registration transformation

No entry for the Selected Trademark

### Publication

Number	Section	Date	Page
2020/056	a.1	23/03/2020	0
2020/124	b.1	03/07/2020	0
2020/170	c.2.2	07/09/2020	0
2020/231	c.2.1	03/12/2020	0



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

5/5

## Opposition

No entry for the Selected Trademark

## Records

### Trade mark events

No entry for the Selected Trademark

#### Record identifier : 018900863

Kind of record	Representative - Change of name and professional address
Record identifier	018900863
Record reference	
Publication date	03/12/2020
Record status	Published
Record status date	03/12/2020

#### Record identifier : 018441306

Kind of record	Representative - Replacement of representative
Record identifier	018441306
Record reference	
Publication date	07/09/2020
Record status	Published
Record status date	08/09/2020

## Cancellation

No entry for the Selected Trademark

## Appeals

No entry for the Selected Trademark

## Renewals

No entry for the Selected Trademark



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

1/5

SORIANO MOTORI



## Trademark

Application number	<a href="#">018205838</a>
Application language	en
Application date	05/03/2020
Registration office	EM
Receiving office	
Registration number	
Registration date	01/07/2020
Nice classification	12, 25, 35, 41
Expiry date	05/03/2030
Designation(s) under Madrid Protocol	
Designation(s) under Madrid Protocol (Article 9-6)	
Use intent office(s)	
Basic registration number	
EUIPO data last updated on the 19/01/2021	



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

2/5

Basic registration date

Kind of IPR

Trade mark type

Figurative

Kind of mark

Individual

Mark translation

Current trade mark status

Registered

Trade mark office

EUIPO - EUIPO

## List of goods and services

Classification version:

Classification kind:

Class

List of goods and services

Original text : EN

12

Motorcycles; vehicles; luggage racks for motorcycles; structural parts for motorcycles.

25

Clothing; footwear; headgear.

35

Retail sales and wholesale of motorcycles and vehicles; retail sales and wholesale of clothing, footwear and headgear; retail sales and wholesale of motorcycle helmets; retail sales and wholesale of luggage racks for motorcycles; retail sales and wholesale of structural parts for motorcycles; promotion of goods and services through sponsorship; advertising.

41

Organization of sports competitions; electronic publication; publication services; museums; entertainment; recreation services; publishing.

## Vienna code



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

3/5

---

24.07.01	One flag
26.04.02	Rectangles
26.04.04	Other irregular parallelograms, trapezia and quadrilaterals
26.04.09	Several quadrilaterals juxtaposed, joined or intersecting
26.05.01	One polygon
26.05.11	Polygons containing one or more quadrilaterals (precise the content)
26.05.12	Polygons containing one or more other geometrical figures (precise the content)
27.05.22	Monograms formed of intertwined, overlapping or otherwise combined letters
27.99.13	Letter M
27.99.19	Letter S
29.01.01	Red
29.01.02	Yellow
29.01.03	Green

## Owner

Applicant identifier	1071646
Name	
Entitlement establishment	
Address country	US
Address	22 Jackson place NY 11758 Massapequa New York

## Representative



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

4/5

---

Applicant identifier	10784
Name	CLARKE, MODET Y CÍA., S.L.
Entitlement establishment	ES
Address country	ES
Address	Rambla de Méndez Núñez, Nº 21-23, 5º A-B 03002 Alicante

### Correspondence address

Name	
Address country	-
Address	

### Seniority

No entry for the Selected Trademark

### Exhibition priority

No entry for the Selected Trademark

### Priority

No entry for the Selected Trademark

### International registration transformation

No entry for the Selected Trademark

### Publication

Number	Section	Date	Page
2020/056	a.1	23/03/2020	0
2020/124	b.1	03/07/2020	0
2020/170	c.2.2	07/09/2020	0
2020/231	c.2.1	03/12/2020	0



Trademark:  
SORIANO MOTORI  
(018205838)

Exported:  
19/01/2021

5/5

## Opposition

No entry for the Selected Trademark

## Records

### Trade mark events

No entry for the Selected Trademark

#### Record identifier : 018900863

Kind of record	Representative - Change of name and professional address
Record identifier	018900863
Record reference	
Publication date	03/12/2020
Record status	Published
Record status date	03/12/2020

#### Record identifier : 018441306

Kind of record	Representative - Replacement of representative
Record identifier	018441306
Record reference	
Publication date	07/09/2020
Record status	Published
Record status date	08/09/2020

## Cancellation

No entry for the Selected Trademark

## Appeals

No entry for the Selected Trademark

## Renewals

No entry for the Selected Trademark